JUL 07 2006 08:00 FR DISTRICT MASS 617 748 2539 TO 819723524395 P.04

SAO 245B(05-MA) (Rev. 06/05) Judgment in a Criminal Case

FILED FIXS OFFICE

	Sheet 1 - D. Massachusetts - 10/05			51 1 1 02
		TES DISTRICT COUP t of Massachusetts		
UNITED S	TATES OF AMERICA V.	JUDGMENT IN A CRI	IMINAL CASE	T COURT F MASS
IOSHI	JA GOLDSMITH	Case Number: 1: 03 CR	R 10234 - 003 -	MLW
JOSIIC		USM Number: 25234-038		
		Stephen Hrones, Esq.		
WLII VLII VLII VLII VLII VLII VLII VLII	<u>a</u> ⊒ Q_	Defendant's Attomey	Additional d	documents attached
THE DEFENDA	NT: Subt(s) 1ss, 2ss & 3ss			
pleaded with to o	<u> </u>			
pleaded noto conte				
which was accepted was found guilty of	~			
after a plea of not				
The defendant is adju-	dicated guilty of these offenses:	Addition	al Counts - See continu	uation page 🕢
Title & Section	Nature of Offense		Offense Ended	<u>Count</u>
21 USC § 846	Conspiracy to Possess w/Intent to 1	Distribute Marijuana	05/28/03 1s	ıs
21 USC § 841(a)(1)	Possession w/Intent to Distribute M	farijuana	04/15/03 28	-
18 USC § 2	Aiding/Abetting	Fadhana	04/15/03 28	_
21 USC § 841(a)(1)	Possession w/Intent to Distribute N	ianjuana	05/28/03 3s 05/28/03 3s	
18 USC § 2	Aiding/Abetting	and the state of t		
the Sentencing Reform	is sentenced as provided in pages 2 throm MAct of 1984.	ugh 11 of this judgment	t. The sentence is impo	sed pursuant to
The defendant has	been found not guilty on count(s)			
Count(s)	is	are dismissed on the motion of t	he United States.	
It is ordered or mailing address unt the defendant must no	that the defendant must notify the United il all fines, restitution, costs, and special a otify the court and United States attorney	States attorney for this district within ussessments imposed by this judgment of material changes in economic circ	30 days of any change are fully paid. If ordere umstances.	of name, residence, d to pay restitution
		06/21/06		
		Date of imposition of Judgment		
		Ceraner.	5. W.	1
		Signature of Judge	<u> </u>	}
	on 4/27/4 that the ument is true and correct copy of the	The Honorable Mark L	. Wolf	
	docket in the captioned case			
ejectronica	illy filed original filed on	Chief Judge, U.S. Distr	nei Court	
original file	d in my office onto the	Name and Title of Judge		
Sarah	A. Thornton	Jime >	8 250	_

JUL 07 2006 08:00 FR DISTRICT MASS 617 748 2539 TO 819723524395

P.05

SAO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet IA - D. Massachusetts - 10/05

Judgment Page 2 of 11

DEFENDANT:

JOSHUA GOLDSMITH

CASE NUMBER: 1: 03 CR 10234 - 003 - MLW

ADDITIONAL COUNTS OF CONVICTION

Title & Section Nature of Offense Offense Ended Count 21 USC § 853 Forfeiture Allegation 05/28/03 355

JUL 07 2006 08:00 FR DISTRICT MASS

617 748 2539 TO 819723524395

P.06

♠AO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 2 - D. Massachusetts - 10/05

Judgment - Page 3 of 11

DEFENDANT: JO

JOSHUA GOLDSMITH

CASE NUMBER: 1: 03 CR 10234 - 003 - MLW

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

60 month(s)

The court makes the following recommendations to the Bureau of Prisons:
That the defendant participate in the Bureau of Prison's 500 hour residential drug treatment program. That the defendant participate in a Bureau of Prison's mental health treatment program.
The defendant is remanded to the custody of the United States Marshal.
The defendant shall surrender to the United States Marshal for this district:
at a.m p.m. on
as notified by the United States Marshal.
The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
✓ before 2 p.m. on 08/07/06 .
as notified by the United States Marshal.
as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

perendant delivered on to

with a certified copy of this judgment.

UNITED STATES MARSHAL

Pυ

PEPLITY INTERD CTATES MADEITAL

JUL 07 2006 08:00 FR DISTRICT MASS

617 748 2539 TO 819723524395

P.07

№AO 245B(05-MA)

on the attached page.

(Rev. 06/05) Judgment in a Criminal Case Sheet 3 - D. Massachusetty - 10/05

	Sheet 3 - D. Massachtaeus - 10/03								
	EFENDANT: JOSHUA GOLDSMITH	Judgment-	Page	of _	11				
CA	ASE NUMBER: 1: 03 CR 10234 - 003 - MLW SUPERVISED RELEASE		See continuation page						
Upo	on release from imprisonment, the defendant shall be on supervised release for a term	n of :	month(s)						
cust	The defendant must report to the probation office in the district to which the defen stody of the Bureau of Prisons.	dant is released wi	ithin 72 hour	of release	from the				
	e defendant shall not commit another federal, state or local crime.								
The subs ther	e defendant shall not unlawfully possess a controlled substance. The defendant shall sistence. The defendant shall submit to one drug test within 15 days of release from it treater, not to exceed 104 tests per year, as directed by the probation officer.	refrain from any un mprisonment and a	nlawful use o t least two pe	of a controll riodic drug	ed atests				
	The above drug testing condition is suspended, based on the court's determination future substance abuse. (Check, if applicable.)								
\mathbf{V}	The defendant shall not possess a firearm, ammunition, destructive device, or any	other dangerous w	eapon. (Che	ck, if applic	able.)				
\checkmark	The defendant shall cooperate in the collection of DNA as directed by the probatic	on officer. (Check,	if applicable	e.)					
	The defendant shall register with the state sex offender registration agency in the s student, as directed by the probation officer. (Check, if applicable.)	tate where the defe	ndant reside	s, works, or	is a				
	The defendant shall participate in an approved program for domestic violence. (C	beck, if applicable)						
Sch	If this judgment imposes a fine or restitution, it is a condition of supervised release hedule of Payments sheet of this judgment.	that the defendant	t pay in accor	dance with	the				
	The defendant must comply with the standard conditions that have been adopted by	y this court as well	as with any	dditional co	onditions				

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment,
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

JUL 07 2006 08:00 FR DISTRICT MASS

617 748 2539 TO 819723524395

P.08

△AO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case

Sheet 4A - Continuation Page - Supervised Release/Probation -10/05

Judgment-Page ___1_ of __11

DEFENDANT:

JOSHUA GOLDSMITH

CASE NUMBER: 1: 03 CR 10234 - 003 - MLW

ADDITIONAL☑ SUPERVISED RELEASE ☐ PROBATION TERMS

The defendant is to participate in a mental health program as proscribed by the United States Probation Office. The defendant shall contribute to the costs of the program based on his capacity to pay or the availability of third party payment.

The defendant is to participate in a program for substance abuse as directed by the United States Probation Office, which program may include testing to determine whether the defendant has reverted to the use of alcohol or drugs. The defendant shall contribute to the costs of the program based on his capacity to pay or the availability of third party payment.

Continuation of Conditions of Supervised Release Probation

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A 0	245 B(05-	·MA)	(Rev. 06/05 Sheet 5 - D				Casc											
DEI	FENDA SE NUI	NT: MBER	JOSHI 1: 03		0234	- 0	03 -			TARY	PEN	IALTI		nent Pr		6	of _	11
	The def	fendant	must pay t	he total	crimii	nal mo	netary	penalt	ies une	der the s	chedule	of payn	ients of	n Sheet	6.			
тот	Assessment \$300.00				Fine S					Restitution S								
			ion of rest	itution i	is defe	rred un	ntil		Aη	Imended	Judgm	ient in d	r Crim	inal Ca	zse (A)	O 2450	C) wil	l be entered
	The def	fendant	must make	restitu	tion (ti	neludir	ng còn	menit	y r est it	ution) to	the fol	lowing p	ayees i	in the a	mount	listed	below.	•
	If the de the price before t	efenden ority ord the Unit	t makes a perce ler or perce led States i	partial p intage p s paid.	aymer saymer	nt, each nt colu	h paye mn be	e shall low. Y	receiv Iowev	e an app er, pursi	roximat tant to l	ely prop 8 U.S.C	ortione . § 366	d paym 4(i), al	ent, u nonfe	deral v	ecifie victim	d otherwise i s must be pai
Name of Payee				Total Loss*				Restitution Ordered					<u>d</u> <u>P</u>			riority or Percentage		
																	cc Cor	ntinuation
TO	TALS			\$ _			\$	0.00		s			00,00					
	Restitu	ation arr	ount order	ed purs	ouant to	o plea a	agreen	nent \$					_					
	meen	th day a	must pay fler the da r delinque	te of the	e judgi	ment, p	dursua	nt to 18	3 U.S.(C. § 3612	2(f). Al	nless the	restitu paymen	ation or nt option	fine is ns on S	paid is Sheet 6	n full b may t	pefore the pe subject
	The co	urt dete	rmined the	it the de	fenda	nt does	not h	ave the	ability	y to pay	interest	and it is	ordere	d that:				
	=		st requi ren			for the] fine		restitut	ion.							
	L] the	interes	t requiren	ent for	the	☐ f	fine	☐ re	stituti	on is mo	dified a	s follow	z :					
* Fin Septe	dings for anber 1:	r the to: 3, 1994	al amount but befor	oflosse c April	s are ro 23, 19	equired 96.	d under	r Chapt	ers 10	9 A, 110,	110A, a	and 113A	of Tit	le 18 fo	r offen	8 6 8 CO1	nmitte	d on or after

JUL 07 2006 08:00 FR DISTRICT MASS

617 748 2539 TO 819723524395

P.10

№AO 245B(05-MA) (Rev. 06/05) Judgment in a Criminal Case Sham 6 - D. Massachusetts - 10/05 11 Judgment -- Page JOSHUA GOLDSMITH DEFENDANT: CASE NUMBER: 1: 03 CR 10234 - 003 - MLW SCHEDULE OF PAYMENTS Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows: due immediately, balance due Lump sum payment of \$ ___, or _____E, or ____F below; or not later than ☐ C, ☐ D, Payment to begin immediately (may be combined with \(\subseteq C, D, or F below); or __ (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or (e.g., weekly, monthly, quarterly) installments of \$ D Payment in equal (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from E imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or Special instructions regarding the payment of criminal monetary penalties: Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Impate Financial Responsibility Program, are made to the clerk of the court. The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. See Continuation Joint and Several Page Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate. The defendant shall pay the cost of prosecution. The defendant shall pay the following court cost(s): The defendant shall forfeit the defendant's interest in the following property to the United States: Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

JUL 07 2006 08:00 FR DISTRICT MASS 617 748 2539 TO 819723524395 P.11 (Rev. 06/05) Criminal Judgment AO 245B Attachment (Page 1) - Statement of Reasons - D. Massachusetts - 10/05 Judgment - Page 8 of JOSHUA GOLDSMITH DEFENDANT: CASE NUMBER: 1: 03 CR 10234 - 003 - MLW DISTRICT: **MASSACHUSETTS** STATEMENT OF REASONS COURT FINDINGS ON PRESENTENCE INVESTIGATION REPORT The court adopts the presentence investigation report without change. R The court adopts the presentence investigation report with the following changes. (Check all that apply and specify court determination, findings, or comments, referencing paragraph numbers in the presentance report, if applicable.) (Use Section VIII if necessary.) Chapter Two of the U.S.S.G. Manual determinations by court (including changes to base offense level, or 1 specific offense characteristics): 2 Chapter Three of the U.S.S.G. Manual determinations by court (including changes to victim-related adjustments, role in the offense, obstruction of justice, multiple counts, or acceptance of responsibility): 3 Chapter Four of the U.S.S.G. Manual determinations by court (including changes to criminal history category or scores, eareer offender, or criminal livelihood determinations): Additional Comments or Fladings (including comments or factual findings concerning certain information in the presentance report that the Federal Bureau of Prisons may rely on when it makes inmate classification, designation, or programming decisions): C The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32. COURT FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.) A 🗆 No count of conviction carries a mandatory minimum sentence. В Mandatory minimum sentence imposed. C \square One or more counts of conviction alleged in the indictment carry a mandatory minimum term of imprisonment, but the sentence imposed is below a mandatory minimum term because the court has determined that the mandatory minimum does not apply based on [Findings of fact in this case substantial assistance (18 U.S.C. § 3553(c)) the statutory safety valve (18 U.S.C. § 3553(f)) III COURT DETERMINATION OF ADVISORY GUIDELINE RANGE (BEFORE DEPARTURES):

Total Offense Level: Criminal History Category:

Imprisonment Range: 60 to 71 months

Supervised Release Range: to 60 years

to \$ 4,000,000 Fine Range: \$ 10,000

Pine waived or below the guideline range because of inability to pay.

P. 12

AO 245B (05-MA) (Rev. 06/05) Criminal Judgment Attachment (Page 2) - Statement of Reasons - D. Massachusetts - 10/05 Judgment --- Page 9 of 11 JOSHUA GOLDSMITH DEFENDANT: CASE NUMBER: 1: 03 CR 10234 - 003 - MLW DISTRICT: **MASSACHUSETTS** STATEMENT OF REASONS ADVISORY GUIDELINE SENTENCING DETERMINATION (Check only one.) The sentence is within an advisory guideline range that is not greater than 24 mouths, and the court finds no reason to depart. A 💆 В The sentence is within an advisory guideline range that is greater than 24 months, and the specific sentence is imposed for these reasons. (Use Section VIII if necessary.) C The court departs from the advisory guideline range for reasons authorized by the sentencing guidelines manual. (Also complete Section V.) The court imposed a sentence outside the advisory sentencing guideline system. (Also complete Section VI.) DEPARTURES AUTHORIZED BY THE ADVISORY SENTENCING GUIDELINES (If applicable.) The sentence imposed departs (Check only one.): below the advisory guideline range above the advisory guideline range B Departure based on (Check all that apply.): Plea Agreement (Check all that apply and check reason(s) below.): 5K1.1 plea agreement based on the defendant's substantial assistance 5K3.1 plea agreement based on Early Disposition or "Fast-track" Program binding plea agreement for departure accepted by the court plea agreement for departure, which the court finds to be reasonable plea agreement that states that the government will not oppose a defense departure motion. 2 Motion Not Addressed in a Plea Agreement (Check all that apply and check reason(s) below.): 5K1.1 government motion based on the defendant's substantial assistance 5K3.1 government motion based on Early Disposition or "Fast-track" program government motion for departure defense motion for departure to which the government did not object defense motion for departure to which the government objected 3 Other Other than a plea agreement or motion by the parties for departure (Check reason(s) below.): С Reason(s) for Departure (Check all that apply other than 5K1.1 or 5K3.1.) 4A13 Criminal History Inadequacy ☐ 5K2.1 5K2.11 Lasser Harm 5H1.1 Age 5K2.2 Physical Injury 5K2.12 Coercion and Duress Education and Vocational Skills 5H1.2 5K2.3 Extreme Psychological Injury ☐ 5K2.13 Diminished Capacity SH1.3 Mental and Emotional Condition 5K2.4 Abduction or Unlawful Restraint 5K2.14 Public Welfure 5H1.4 Physical Condition 5K2.5 Property Damage or Loss 5K2-16 Voluntary Direlosure of Offense 5H1.5 Employment Record SK2.6 Weapon or Dangerous Weapon 5K2.17 High-Capacity, Semisutomatic Weapon Family Ties and Responsibilities 5H1.6 5K2.7 Disruption of Government Function 5K2.18 Violent Street Gang 5H1.11 Military Record, Charitable Service, 5K2.8 Extreme Conduct 5K2.20 Aberrant Behavior Good Works 5K2-21 Dismissed and Uncharged Conduct 5K2.9 Criminal Purpose Aggravating or Mitigating Circumstances 5K2.0 SK2.10 Victim's Conduct 5K2.22 Age or Health of Sex Offenders 5K2.23 Discharged Terms of Imprisonment Other guideline basis (e.g., 2B1.1 commentary)

D Explain the facts justifying the departure. (Use Section VIII if necessary.)

JUL 07 2006 08:01 FR DISTRICT MASS

3

Other

(18 U.S.C. § 3553(a)(2)(D))

617 748 2539 TO 819723524395

P.13

AO 245B (05-MA) (Rev. 06/05) Criminal Judgment Attachment (Page 3) - Statement of Reasons - D. Massachusetts 10/05 Judgment - Page 10 of 11 JOSHUA GOLDSMITH DEFENDANT: CASE NUMBER: 1: 03 CR 10234 - 003 - MLW DISTRICT: MASSACHUSETTS STATEMENT OF REASONS COURT DETERMINATION FOR SENTENCE OUTSIDE THE ADVISORY GUIDELINE SYSTEM (Check all that apply.) The sentence imposed is (Check only one.): below the advisory guideline range above the advisory guideline range Sentence imposed pursuant to (Check all that apply.): В Plea Agreement (Check all that apply and check reason(s) below.): binding plea agreement for a sentence outside the solvisory guideline system accepted by the court plea agreement for a sentence outside the advisory guideline system, which the court finds to be reasonable plea agreement that states that the government will not oppose a defense motion to the court to semense outside the advisory guideline system 2 Motion Not Addressed in a Plea Agreement (Check all that apply and check reason(s) below.): government motion for a sentence outside of the advisory guideline system defense motion for a sentence outside of the advisory guideline system to which the government did not object defense motion for a sentence outside of the advisory guideline system to which the government objected

Other than a plea agreement or motion by the parties for a sentence outside of the advisory guidaline system (Check reason(s) below.);

Explain the facts justifying a sentence outside the advisory guideline system. (UseSection VIII if necessary.)

the nature and circumstances of the offense and the history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)

Lo reflect the seriousness of the affense, to promote respect for the law, and to provide just punishment for the offense (18 U.S.C. § 3553(a)(2)(A))

to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner

Ressou(s) for Sentence Outside the Advisory Guideline System (Check all that apply.)

to afford adequate deterrence to criminal conduct (18 U.S.C. § 3553(a)(2)(B)) to protect the public from further crimes of the defendant (18 U.S.C. § 3553(a)(2)(C))

to provide restitution to any victims of the offense (18 U.S.C. § 3553(a)(7))

to avoid unwarranted sentencing disparities among defendants (18 U.S.C. § 3553(a)(6))

JUL 07 2006 08:01 FR DISTRICT MASS

Same as Above

617 748 2539 TO 819723524395

P.14

__ AO 245B (05-MA) (Rev. 06/05) Criminal Judgment Attachment (Page 4) - Statement of Reasons - D. Massachusens - 10/05 Judgment - Page 11 of JOSHUA GOLDSMITH 11 DEFENDANT: CASE NUMBER: 1: 03 CR 10234 - 003 - MLW **MASSACHUSETTS** DISTRICT: STATEMENT OF REASONS VII COURT DETERMINATIONS OF RESTITUTION Restitution Not Applicable. Total Amount of Restitution: В \mathbf{C} Restitution not ordered (Check only one.): For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because the number of identifiable victims is so large as to make restitution impraoticable under 18 U.S.C. § 3663A(c)(3)(A). For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because determining complex issues of fact and relating them to the cause or amount of the victims' losses would complicate or prolong the sentencing process to a degree that the need to provide restitution to any victim would be outweighed by the hurden on the sentencing process under 18 U.S.C. § 3663A(e)(3)(B). Por other offences for which restitution is authorized under 18 U.S.C. § 3663 and/or required by the senumcing guidelines, restitution is not ordered because the complication and prolongation of the statencing process resulting from the fashioning of a restitution order outweigh the need to provide restitution to any victims under 18 U.S.C. § 3663(a)(1)(B)(ii). Restitution is not ordered for other reasons. (Explain.) Partial restitution is ordered for these reasons (18 U.S.C. § 3553(c)): VIII ADDITIONAL FACTS JUSTIFYING THE SENTENCE IN THIS CASE (If applicable.) Sections I, II, III, IV, and VII of the Statement of Reasons form must be completed in all felony cases. 000-00-9495 Defendant's Soc. Sec. No.: Date of Imposition of Judgment 06/21/06 00/00/1970 Defendant's Date of Birth: Defendant's Residence Address: 12808 Zanja Street Signature of Jadge The Honorable Mark L. Wolf Los Angeles, CA Chief Judge, U.S. District Court Defendant's Mailing Address: Name and Title of Judge

Date Signed